



THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

WAYNE D. CRIDDLE
STATE ENGINEER

February 9, 1962
Cedar City, Utah

MEMORANDUM:

TO: Hubert C. Lambert

FROM: Dee C. Hansen

SUBJECT: Minutes of Meeting on Magotsu Creek water.
Held in Washington County courthouse, St. George, Utah
on February 2, 1962

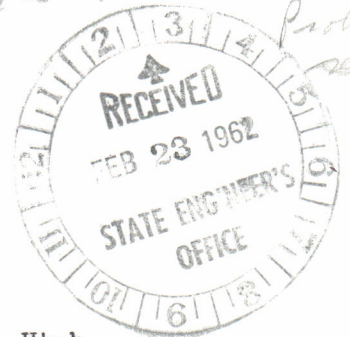
The hearing was called because of a protest by Henry Bowler, Fenton Bowler and Richard Bowler protesting the use being made of springs that in the opinion of the protestants belonged in the creek and are decreed right to the lower users. These springs have been developed and diverted to land owned by Ronald Cottam.

Mr. Lambert explained the purpose of the meeting and gave his views of the problems involved. Mr. Lambert than asked for an explanation from Henry Bowler on this views on this matter. Mr. Bowler stated that the two springs in question are not included in the decree and therefore he felt that they belonged to the creek which was covered in the decree. Mr. Bowler also stated that he thought Mr. Cottam had purchased the land with the understanding that the springs were his but that he found this to be untrue.

Mr. Lambert than asked for a response from Mr. Cottam. Mr. Cottam was represented with legal counsel, Attorney Phillip Formaster. Mr. Formaster stated that some of the springs in the vicinity of Mr. Cottam's land were covered under the decreed right, but he wasn't sure about these two springs.

It was decided that the springs in contention were approximately 100 feet from the stream ^{canal}. It was than stated that Mr. Cottam's son had developed the springs and increased the flow. They now flow approximately 20 gallons a minute. (Measurements made by Wilson McConkie).

Mr. Lambert than stated to Mr. Cottam that an application should have been filed in order that the springs be handled legally. Mr. Lambert then stated to Attorney Formaster that he would agree to a period of 60 days in which to obtain information as to why these springs should remain as they are. At the end of the period, if no new information has been found Mr. Lambert will than write a decision. Mr. Formaster stated that he would like the right to appeal this decision and this was granted. The meeting was adjourned.



San M.